

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

IN RE SURESCRIPTS ANTITRUST
LITIGATION

Civil Action No. 1:19-cv-06627

Judge John J. Tharp, Jr.

This Document Relates To:

Magistrate Judge Susan E. Cox

All Class Actions

STATUS REPORT

Defendants Surescripts, LLC (“Surescripts”) and Allscripts Healthcare Solutions, Inc. (“Allscripts,” and together with Surescripts, the “Defendants”) and Plaintiffs Corner Pharmacy, Summers Pharmacy, Logan Primary Pharmacy, Integrated Pharmaceutical Solutions LLC d/b/a Bartow Pharmacy Medical Supply, Concord Pharmacy, Jerald Whitman d/b/a Whitman Pharmacy, Kennebunk Village Pharmacy, Inc., and 731 Pharmacy Corp. d/b/a Ivan Pharmacy (“Plaintiffs,” and together with Defendants, the “Parties”) jointly submit this Status Report pursuant to the Court’s March 20, 2024 Orders. *See* ECF Nos. 322, 323. The Parties have conferred and agree as follows:

1. Plaintiffs will voluntarily dismiss their Michigan state law claims by moving to amend the Second Amended Consolidated Class Action Complaint (ECF No. 148) pursuant to Federal Rule of Civil Procedure 15(a)(2). The Parties will meet and confer regarding the substance of Plaintiffs’ proposed amendment, and following Defendants’ written consent regarding the same, Plaintiffs will file an unopposed motion to amend.

2. Plaintiffs agree that, with their voluntary dismissal of their Michigan state law claims, Plaintiffs are disclaiming any right to claim damages arising under Michigan state law.

3. In light of the above, the Parties agree that it is not necessary for the Court to reopen the fact discovery period in this case in order for the Parties to conduct Michigan downstream discovery.

4. The Parties agree that judicial and Party efficiency favor extending the Parties' current summary judgment and class certification briefing deadlines so that those deadlines are teed off the Court's forthcoming *Daubert* rulings and allow the same number of days between the *Daubert* rulings and the briefing deadlines as anticipated in Case Management Order No. 2, as modified by minute entry on April 6, 2023. The Parties will submit a joint motion requesting this extension.

Dated: April 10, 2024

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